IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORIGINAL SIDE

INCOME TAX APPEAL NO.531 OF 2001

The Commissioner of Income-tax,
Mumbai city IX, Mumbai. Appellant

vs.

Lokhandwala Construction Inds.
Ltd. Respondent

Mr. R.V. Desai, senior counsel with Mr.Vijay Kantharia
i/b. Mr.H.D. Rathod for the appellant.

Mr. Rajesh Shah for the respondent.

CORAM : R. M. LODHA &
J.P. DEVADHAR,JJ.

DATED : 25th August 2004

P.C.

Heard Mr.R.V.Desai, the learned senior counsel for the revenue.

2. The proposed issue in this appeal is squarely concluded by the Division Bench judgment of this Court in Commissioner of Income-tax v. Lokhandwala Construction Inds.Ltd., 260 ITR 579.

3. In view thereof, it cannot be said that any question of law arises in this appeal.

4. Appeal is dismissed in limine.

(R.M. LODHA, J.)

(J.P. DEVADHAR,J.)